REMARKS

Applicant respectfully requests further examination and reconsideration in view of the above amendments and the arguments set forth fully below. Claims 1-49 were previously pending in this application. Within the Office action Claims 1-49 have been rejected. By the above amendment, Claim 50 has been added. Accordingly, Claims 1-50 are therefore now pending in this application.

Objections To The Specification Under 35 U.S.C. 132

Within the Office Action, the specification is objected to as introducing new matter into the disclosure. Specifically, it is stated within the Office Action that the original specification fails to support the phrases "independently accessible address," "separately and directly accessible," "unique to the recorded audio file" and "by anyone." The applicant respectfully disagrees with this conclusion. These amendments were made based on the Examiner's suggestion.

The phrase, "independently accessible address" is taught within the original specification of the present application: "[t]he user can then provide this address to others allowing them to access the recorded audio file on the internet server by entering this address or selecting a hyperlink pointing to this address." [Present Specification, page 8, lines 11-12] Hence, the address to the recorded audio file is accessible by anyone to whom the user provides this address, and that person can independently access the address.

The phrase, "separately and directly accessible" is taught within the original specification of the present application as well. As stated above, "[t]he user can then provide this address to others allowing them to access the recorded audio file on the internet server by entering this address or selecting a hyperlink pointing to this address." [Present Specification, page 8, lines 11-12] Therefore, the recorded audio file is accessible "separately" such that it can be accessed by different people, from different locations, at the same or different times. Furthermore, the

recorded audio file is accessible "directly" as described in the original specification of the present application: "when the corresponding address is accessed, the audio data within the recorded audio file is transmitted from the internet server to the accessing computer system for playback at that accessing computer system." [Present Specification, page 3, line 26 - page 4, line 2] Accessing the corresponding address causes the audio file to be transmitted to the accessing computer system for playback. There are no intermediate steps of having to traverse through multiple web pages to get to the data. The transfer is "direct" such that one link is clicked and the audio file is transmitted.

The phrase, "unique to the recorded audio file" is also taught within the original specification of the present application. The specification states, "when the corresponding address is accessed, the audio data within the recorded audio file is transmitted from the internet server to the accessing computer system for playback at that accessing computer system." [Present Specification, page 3, line 26 - page 4, line 2] The "corresponding" address is the same as a "unique" address to the recorded audio file. It is further taught within the specification that the

> user can then use this address as a hyperlink on a website or as an attachment to an e-mail or other communication to provide the address of the recorded audio file to others allowing them to access the recorded audio file for playback. Anyone then either entering the appropriate address or selecting an appropriate hyperlink pointing to this address will hear the playback of the corresponding recorded audio file through the audio playback speakers 72 and 74 at the computer system 20 they are using to access the internet server 14. [Present Specification, page 16, line 27 - page 17, line 5]

Inclusion of the phrase "by anyone" is fully supported within the original specification in multiple instances. It is taught within the specification of the present application that, "[a]nyone accessing the internet and entering this address or selecting the appropriate hyperlink pointing to this address will then be provided the corresponding audio from the accessed recorded audio file." [Present Specification, page 17, lines 12-14] Furthermore, the specification states,

"[a]nyone then either entering the appropriate address or selecting an appropriate hyperlink pointing to this address will hear the playback of the corresponding recorded audio file through the audio playback speakers 72 and 74 at the computer system 20 they are using to access the internet server 14." [Present Specification, page 16, lines 22-25] Moreover, the specification further states, "[t]he user can then provide this address to others allowing them to access the recorded audio file on the internet server by entering this address or selecting a hyperlink pointing to this address." [Present Specification, page 8, lines 11-12] Since the "user" and "others" can access the recorded audio file, clearly the recorded audio file is accessible "by anyone." Another instance where the specification shows that "anyone" can access the recorded audio file is, "[t]he recorded audio file is associated with a profile of the recording user allowing the user or the public to access the recorded audio file and corresponding information over the internet." [Present Specification, page 3, lines 19-21] The public is synonymous with "anyone."

Therefore, the phrases are supported in the original specification and did not introduce new matter.

Rejections Under 35 U.S.C. § 112

Within the Office Action, Claims 1-49 have been rejected under 35 U.S.C. §112, first paragraph, for failing to comply with the written description requirement. As discussed above, the amendments to the specification in the previous response have provided the proper antecedent basis for the claimed subject matter regarding the phrases, "independently accessible address," "separately and directly accessible," "unique to the recorded audio file," and "by anyone." Accordingly, this rejection under 35 U.S.C. §112, first paragraph, should be withdrawn.

Rejections Under 35 U.S.C. § 103

Within the Office Action, Claims 1-9 and 12-49 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,477,243 to Choksi et al. (hereinafter

"Choksi"). The applicant respectfully disagrees with this rejection. Choksi teaches a method and apparatus for automated facsimile message confirmation. Choksi teaches that a facsimile message sent to a recipient is received by a computer system which then forwards notification of the receipt of the facsimile message to the recipient. [Choksi, col. 5, lines 3-15] Choksi also teaches that a confirmation message is sent to the sender of the facsimile message, notifying the sender that the recipient has been sent the notification that the facsimile message has been sent, or alternatively that the recipient has actually read, reviewed or otherwise accessed the facsimile message. [Choksi, col. 6, lines 1-11] As recognized within the Office Action, Choksi does not teach that audio files are processed in this manner. Choksi also teaches that the system may include a message reception station configured to receive voice and/or data messages for a number of subscribers and to notify each sender thereof of the successful receipt and or review of the message. [Choksi, col. 9, lines 33-41] It is then concluded within the Office Action that it would have been obvious from Choksi to process the voice files received by this system in the same manner as described above relative to the facsimile messages. The applicant respectfully disagrees with this conclusion.

Choksi does not teach or make obvious sending notification of received voice data messages to the intended recipient as Choksi teaches relative to facsimile messages. When Choksi describes the message reception station that is also configured to receive voice messages, it is only in the context of notifying the sender that the message has been successfully received and/or reviewed. [Choksi, col. 9, lines 33-41] Choksi does not teach that as far as the actual reception and handling of a voice message, that the voice message is handled any different than the traditional reception and processing of voice messages. Further, Choksi does not teach or make obvious any notification of the recipient of a received voice message. Still further, Choksi does not teach or make obvious that the voice messages or recorded audio files are each separately and directly accessible at an independently accessible address, that is unique to the voice message.

It is stated within the Office Action that it would have been obvious to add alternate embodiments (voice message reception station) of Choksi to the main embodiment (facsimile message reception station). It is then concluded that it would have been obvious to apply the teachings of Choksi related to facsimile messages to voice messages or recorded audio files. The applicant respectfully disagrees with this conclusion. As described above, when Choksi describes the message reception station that is also configured to receive voice messages, *it is only in the context of* notifying the sender that the message has been successfully received and/or reviewed. [Choksi, col. 9, lines 33-41] In the portion of Choksi cited within the Office Action, it is provided "a...voice...system configured in accordance with the present invention may include a message reception station configured to receive voice...messages...and to notify each **sender** therefor of the successful receipt...of a message." [Choksi, col. 9, lines 30-41] (emphasis added) Choksi does not teach that as far as the actual reception and handling of a voice message or recorded audio file, that the voice message is handled any different than the traditional reception and processing of voice messages. Further, Choksi does not teach or make obvious any notification of the recipient of a received voice message. Once again, only the **sender** is notified that the voice message has been received; not other recipients. Still further, Choksi does not teach or make obvious that the voice messages are each separately and directly accessible by anyone using an independently accessible address, that is unique to the voice message.

In contrast to the teachings of Choksi, the present invention includes an apparatus and method for recording an **audio file** which allows a user to establish a telephone connection with a call processing and recording system to record an **audio file**. Once recorded, the user then has the ability to playback, edit and re-record the **audio file** until the user is satisfied with the audio file. Once the user is satisfied with the **recorded audio file**, a title or text description to be associated with the **recorded audio file** and the **recorded audio file** are stored at the call processing and recording system. When the quality and content of the **recorded audio file** is acceptable, then the **recorded audio file** with accompanying title and user information is transmitted from the call processing and recording system to an internet server. When the

internet server receives the **recorded audio file** with accompanying user information and associated title or text description, this data is then stored in a recording database at the internet server. The **recorded audio file** of the present invention is also associated with a profile of the recording user which is accessible by the user over the internet. A notification is also preferably sent to the recording user notifying the recording user of the address at which the **recorded audio file** can be accessed. The address at which the **recorded audio file** can be accessed is preferably transmitted within this email. As discussed above, the address at which the **recorded audio file** can be accessed is an unique and directly accessible address on the internet. The address at which the **recorded audio file** can be accessed is unique to the **recorded audio file**, such that when the address is entered or a hyperlink corresponding to the address is selected by anyone, the **recorded audio file** is directly accessed.

The **recorded audio file** of the present invention is separately accessible by anyone using the independently accessible address. As described above, the address is transmittable or capable of being sent. Since the audio file is accessed through the transmittable independently accessible address, anyone can access the **recorded audio file** on the internet server by entering the separately and directly accessible address or selecting a hyperlink pointing to this address. It is taught within the specification of the present application that "[a]nyone accessing the internet and entering this address or selecting the appropriate hyperlink pointing to this address will then be provided the corresponding audio from the accessed recorded audio file." [Present Specification, page 17, lines 12-14]

The **recorded audio file** can also be sent in a second file. Once any person accesses the **recorded audio file**, the audio data within the file is transmitted to the accessing computer system for playback at that accessing computer system. This allows anyone to access the **recorded audio file**, as taught within the specification. As discussed above, Choksi does not teach or make obvious that **recorded audio files** are each separately and directly accessible by anyone at an independently accessible address, that is unique to the **recorded audio file**.

The independent Claim 1 is directed to a method of recording an audio file for playback over a computer system. The method of Claim 1 includes establishing a telephony connection between a telephony device and a call recording device, recording an audio communication transmitted over the telephony connection thereby establishing a recorded audio file and associating an independently accessible address with the recorded audio file, such that when the address is accessed using the computer system, the recorded audio file is transmitted to the computer system for playback. The method of Claim 1 further includes the limitation that the recorded audio file is separately and directly accessible by anyone using the independently accessible address. The method of Claim 1 includes a further limitation specifying that the independently accessible address is unique to the recorded audio file. As discussed above, Choksi does not teach or make obvious that an independently accessible address is associated with the **recorded audio file**. In addition, Choksi does not teach or make obvious that the **recorded audio file** is separately and directly accessible by anyone using the independently accessible address. Further, Choksi does not teach or make obvious that the independently accessible address is unique to the **recorded audio file**. For at least these reasons, the independent Claim 1 is allowable over the teachings of Choksi.

Claims 2-9 and 13-16 are all dependent upon the independent Claim 1. As discussed above, the independent Claim 1 is allowable over the teachings of Choksi. Accordingly, the Claims 2-9 and 13-16 are all also allowable as being dependent upon an allowable base claim.

The independent Claim 12 is directed to a method of recording an audio file for playback over a computer system. The method of Claim 12 comprises establishing a telephony connection between a telephony device and a call recording device, recording an audio communication transmitted over the telephony connection thereby establishing a recorded audio file and associating an independently accessible address with the recorded audio file, such that when the address is accessed using the computer system, the recorded audio file is transmitted to the computer system for playback, wherein the recorded audio file is separately and directly accessible by anyone using the independently accessible address and further wherein the

independently accessible address is unique to the recorded audio file. It is further specified in Claim 12 that a notification is sent to a recording user responsible for recording the audio communication, the notification specifying the independently accessible address associated with the recorded audio file. As discussed above, Choksi does not teach or make obvious that an independently accessible address is associated with the **recorded audio file**. In addition, Choksi does not teach or make obvious that the **recorded audio file** is separately and directly accessible by anyone using the independently accessible address. Further, Choksi does not teach or make obvious that the independently accessible address is unique to the **recorded audio file**. As discussed above, Choksi teaches "a...voice...system configured in accordance with the present invention may include a message reception station configured to receive voice...messages...and to notify each **sender** therefor of the successful receipt...of a message. [Choksi, col. 9, lines 30-41] (emphasis added) There is no indication that a notification is sent to a recording user. For at least these reasons, the independent Claim 12 is allowable over the teachings of Choksi.

The independent Claim 17 is directed to a method of recording an audio file for playback over a computer system. The method of Claim 17 comprises establishing a telephony connection between a telephony device and a call recording device, recording an audio communication transmitted over the telephony connection thereby establishing a recorded audio file, including the recorded audio file within a second file, such that when then the second file is accessed using the computer system, the recorded audio file is available for playback at the computer system, wherein the recorded audio file is separately and directly accessible by anyone using an independently accessible address and further wherein the independently accessible address is unique to the recorded audio file and sending the second file to the computer system for access by a user. As discussed above, Choksi does not teach or make obvious that the **recorded audio file** is separately and directly accessible by anyone using the independently accessible address. Further, Choksi does not teach or make obvious that the independently accessible address is unique to the **recorded audio file**. For at least these reasons, the independent Claim 17 is allowable over the teachings of Choksi.

Claims 18-21 are all dependent upon the independent Claim 17. As discussed above, the independent Claim 17 is allowable over the teachings of Choksi. Accordingly, the Claims 18-21 are all also allowable as being dependent upon an allowable base claim.

The independent Claim 22 is directed to a record and playback system for recording an audio file for later playback. The record and playback system of Claim 22 includes a means for establishing a telephony connection with a telephony device, means for recording coupled to the means for establishing a telephony connection for recording an audio communication transmitted over the telephony connection thereby establishing a recorded audio file and means for storing coupled to the means for recording for storing the recorded audio file at an independently accessible address, such that when the address is accessed by a computer system, the recorded audio file is transmitted to the computer system for playback. The record and playback system of Claim 22 includes the further limitation that the recorded audio file is separately and directly accessible by anyone using the independently accessible address. The record and playback system of Claim 22 also includes the limitation specifying that the independently accessible address is unique to the recorded audio file. As discussed above, Choksi does not teach or make obvious that an independently accessible address is associated with the **recorded audio file**. In addition, Choksi does not teach or make obvious that the **recorded audio file** is separately and directly accessible by anyone using the independently accessible address. Further, Choksi does not teach or make obvious that the independently accessible address is unique to the **recorded audio file**. For at least these reasons, the independent Claim 22 is allowable over the teachings of Choksi.

Claims 23-29 are all dependent upon the independent Claim 22. As discussed above, the independent Claim 22 is allowable over the teachings of Choksi. Accordingly, the Claims 23-29 are all also allowable as being dependent upon an allowable base claim.

The independent Claim 30 is directed to a record and playback system for recording an audio file for later playback. The system of Claim 30 includes an interface circuit configured to establish a telephony connection with a telephony device, a call recording system coupled to the

interface circuit to record an audio communication transmitted over the telephony connection thereby establishing a recorded audio file and a storage system coupled to the call recording system to store the recorded audio file at an independently accessible address within the storage system, such that when the address is accessed by a computer system, the recorded audio file is transmitted to the computer system for playback. The record and playback system of Claim 30 includes the further limitation that the recorded audio file is separately and directly accessible by anyone using the independently accessible address. The record and playback system of Claim 30 further includes the limitation specifying that the independently accessible address is unique to the recorded audio file. As discussed above, Choksi does not teach or make obvious that an independently accessible address is associated with the **recorded audio file**. In addition, Choksi does not teach or make obvious that the **recorded audio file** is separately and directly accessible by anyone using the independently accessible address. Further, Choksi does not teach or make obvious that the independently accessible address is unique to the **recorded audio file**. For at least these reasons, the independent Claim 30 is allowable over the teachings of Choksi.

Claims 31-36 are all dependent upon the independent Claim 30. As discussed above, the independent Claim 30 is allowable over the teachings of Choksi. Accordingly, the Claims 31-36 are all also allowable as being dependent upon an allowable base claim.

The independent Claim 37 is directed to a network of devices for recording and playback of an audio file. The network of Claim 37 includes a call processing and recording system coupled to a telephone network to establish a telephony connection with a telephony device and record an audio communication transmitted over the telephony connection thereby establishing a recorded audio file, a server coupled to the call processing and recording system to store the recorded audio file at an independently accessible address, wherein the recorded audio file is separately and directly accessible by anyone using the independently accessible address and further wherein the independently accessible address is unique to the recorded audio file and one or more computer systems coupled to the server such that when the address is accessed by one of the computer systems, the recorded audio file is transmitted to an accessing computer system for

playback. As discussed above, Choksi does not teach or make obvious that a **recorded audio file** is stored at an independently accessible address. In addition, Choksi does not teach or make obvious that the **recorded audio file** is separately and directly accessible by anyone using the independently accessible address. Further, Choksi does not teach or make obvious that the independently accessible address is unique to the **recorded audio file**. For at least these reasons, the independent Claim 37 is allowable over the teachings of Choksi.

Claims 38-43 are all dependent upon the independent Claim 37. As discussed above, the independent Claim 37 is allowable over the teachings of Choksi. Accordingly, the Claims 38-43 are all also allowable as being dependent upon an allowable base claim.

The independent Claim 44 is directed to a method of recording an audio file for playback over a computer system. The method of Claim 44 comprises establishing a telephony connection between a telephony device and a call recording device, recording an audio communication transmitted over the telephony connection thereby establishing a recorded audio file, including the recorded audio file within a second file, such that when the second file is accessed using the computer system, the recorded audio file is available for playback at the computer system, sending the second audio file to the computer system for access by a user and sending a notification to a recording user responsible for recording the audio communication, the notification specifying an independently accessible address associated with the recorded audio file. As discussed above, Choksi does not teach or make obvious that an independently accessible address is associated with the **recorded audio file**. In addition, Choksi does not teach or make obvious sending a notification to a recording user responsible for recording the audio communication. As discussed above, Choksi teaches "a...voice...system configured in accordance with the present invention may include a message reception station configured to receive voice...messages...and to notify each **sender** therefor of the successful receipt...of a message. [Choksi, col. 9, lines 30-41] (emphasis added) There is no indication that a notification is sent to a recording user. For at least these reasons, the independent Claim 44 is allowable over the teachings of Choksi.

The independent Claim 45 is directed to a record and playback system for recording an audio file for later playback. The record and playback system of Claim 45 comprises means for establishing a telephony connection with a telephony device, means for recording coupled to the means for establishing a telephony connection for recording an audio communication transmitted over the telephony connection thereby establishing a recorded audio file and means for storing coupled to the means for recording for storing the recorded audio file at an independently accessible address, such that when the address is accessed by a computer system, the recorded audio file is transmitted to the computer system for playback, wherein the recorded audio file is separately and directly accessible by anyone using the independently accessible address and further wherein the independently accessible address is unique to the recorded audio file. It is further specified in Claim 45 that a notification is sent to a recording user responsible for recording the audio communication, the notification specifying the independently accessible address associated with the recorded audio file. As discussed above, Choksi does not teach or make obvious that an independently accessible address is associated with the **recorded audio file**. In addition, Choksi does not teach or make obvious that the **recorded audio file** is separately and directly accessible by anyone using the independently accessible address. Further, Choksi does not teach or make obvious that the independently accessible address is unique to the **recorded audio file**. As discussed above, Choksi teaches, "a...voice...system configured in accordance with the present invention may include a message reception station configured to receive voice...messages...and to notify each **sender** therefor of the successful receipt...of a message. [Choksi, col. 9, lines 30-41] (emphasis added) There is no indication that a notification is sent to a recording user. For at least these reasons, the independent Claim 45 is allowable over the teachings of Choksi.

The independent Claim 46 is directed to a record and playback system for recording an audio file for later playback. The record and playback system of Claim 46 comprises an interface circuit configured to establish a telephony connection with a telephony device, a call recording system coupled to the interface circuit to record an audio communication transmitted over the

telephony connection thereby establishing a recorded audio file and a storage system coupled to the call recording system to store the recorded audio file at an independently accessible address within the storage system, such that when the address is accessed by a computer system, the recorded audio file is transmitted to the computer system for playback, wherein the recorded audio file is separately and directly accessible by anyone using the independently accessible address and further wherein the independently accessible address is unique to the recorded audio file. It is further specified in Claim 46 that a notification is sent to a recording user responsible for recording the audio communication, the notification specifying the independently accessible address associated with the recorded audio file. As discussed above, Choksi does not teach or make obvious that an independently accessible address is associated with the **recorded audio file**. In addition, Choksi does not teach or make obvious that the **recorded audio file** is separately and directly accessible by anyone using the independently accessible address. Further, Choksi does not teach or make obvious that the independently accessible address is unique to the **recorded audio file**. As discussed above, Choksi teaches "a...voice...system configured in accordance with the present invention may include a message reception station configured to receive voice...messages...and to notify each **sender** therefor of the successful receipt...of a message. [Choksi, col. 9, lines 30-41] (emphasis added) There is no indication that a notification is sent to a recording user. For at least these reasons, the independent Claim 46 is allowable over the teachings of Choksi.

The independent Claim 47 is directed to a network of devices for recording and playback of an audio file. The network of devices of Claim 47 comprises a call processing and recording system coupled to a telephone network to establish a telephony connection with a telephony device and record an audio communication transmitted over the telephony connection thereby establishing a recorded audio file, a server coupled to the call processing and recording system to store the recorded audio file at an independently accessible address, wherein the recorded audio file is separately and directly accessible by anyone using the independently accessible address and further wherein the independently accessible address is unique to the recorded audio file and

one or more computer systems coupled to the server such that when the address is accessed by one of the computer systems, the recorded audio file is transmitted to an accessing computer system for playback. It is further specified in Claim 47 that a notification is sent to a recording user responsible for recording the audio communication, the notification specifying the independently accessible address associated with the recorded audio file. As discussed above, Choksi does not teach or make obvious that an independently accessible address is associated with the **recorded audio file**. In addition, Choksi does not teach or make obvious that the **recorded audio file** is separately and directly accessible by anyone using the independently accessible address. Further, Choksi does not teach or make obvious that the independently accessible address is unique to the **recorded audio file**. As discussed above, Choksi teaches "a...voice...system configured in accordance with the present invention may include a message reception station configured to receive voice...messages...and to notify each **sender** therefor of the successful receipt...of a message. [Choksi, col. 9, lines 30-41] (emphasis added) There is no indication that a notification is sent to a recording user. For at least these reasons, the independent Claim 47 is allowable over the teachings of Choksi.

The independent Claim 48 is directed to a method of recording an audio file for playback over a computer system. The method of Claim 48 comprises establishing a telephony connection between a telephony device and a call recording device, recording an audio communication transmitted by a recording user over the telephony connection thereby establishing a recorded audio file and associating an address with the recorded audio file, such that the recorded audio file is played back to each of one or more receiving users who access the address. The method of Claim 48 includes the further limitation specifying that the address allows the recorded audio file to be separately and directly accessed by anyone. The method of Claim 48 further includes a limitation specifying that the address is unique to the recorded audio file. As discussed above, Choksi does not teach or make obvious that the **recorded audio file** is separately and directly

accessible by anyone using the independently accessible address. In addition, Choksi does not teach or make obvious that the independently accessible address is unique to the **recorded audio file**. As discussed above, Choksi teaches "a... voice...system configured in accordance with the present invention may include a message reception station configured to receive voice...messages...and to notify each **sender** therefor of the successful receipt...of a message. [Choksi, col. 9, lines 30-41] (emphasis added) There is no indication that a notification is sent to a recording user. For at least these reasons, the independent Claim 48 is allowable over the teachings of Choksi.

The independent Claim 49 is directed to a method of recording an audio file for playback over a computer system. The method of Claim 49 comprises establishing a telephony connection between a telephony device and a call recording device, recording an audio communication transmitted over the telephony connection thereby establishing a recorded audio file, associating an unique and directly accessible address with the recorded audio file, and transmitting the recorded audio file to the computer system for playback, when the address is accessed using the computer system. As discussed above, Choksi does not teach or make obvious that the address is unique to the **recorded audio file**. For at least these reasons, the independent Claim 49 is allowable over the teachings of Choksi.

Within the Office Action, Claims 10 and 11 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Choksi in view of U.S. Patent No. 5,809,512 to Kato (hereinafter "Kato"). The applicant respectfully disagrees with this rejection. Claims 10 and 11 are both dependent upon the independent Claim 1. As discussed above, the independent Claim 1 is allowable over the teachings of Choksi. Accordingly, the Claims 10 and 11 are both also allowable as being dependent upon an allowable base claim.

Within the Office Action, Claims 1-7, 9, 13-19, 22-43, 48 and 49 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,675,507 to Bobo, II (hereinafter "Bobo") in view of U.S. Patent No. 6,408,296 to Acharya et al. (hereinafter "Acharya"). The applicant respectfully disagrees with this rejection.

Bobo teaches a message storage and delivery system which receives facsimile messages, voice messages and data messages. (Bobo, Abstract). Bobo teaches that the system is connected to the Internet and notifies users with an e-mail message each time a message is received. (Bobo, Abstract). After receiving this notification, the users can then connect to the system through the Internet and have the messages downloaded to their computers or preview the messages. (Bobo, Abstract). Bobo teaches that to obtain a message such as a facsimile message, the user logs into his or her mailbox in the system and selects an anchor from a facsimile list provided by the system. (Bobo, col. 8, lines 11-17). In response to this selection, the system then displays a file containing the list of facsimiles. (Bobo, col. 8, lines 15-20). When the user selects a message on the list, the system of Bobo causes the selected message to be downloaded via the Internet to the user's computer. (Bobo, col. 8, lines 60-63). Bobo also teaches that the messages are collectively accessed through the anchor for the message list. Bobo does not teach that the messages are each stored and accessed at an independently accessible address. Further, Bobo does not teach that the messages are separately accessible *by anyone* using an independently accessible address. Bobo also does not teach that each message is associated with and accessed by a unique address.

Bobo does not teach that a message is directly accessible using an independently accessible address. To access a message in the system of Bobo, a user must first log into their mailbox, select the appropriate anchor and then select the message. Within the system of Bobo, a user cannot directly access a message without going through their mailbox. Further, Bobo does not teach that anyone can access a message using an independently accessible address. In the teachings of Bobo, only a user with the appropriate login information is able to access the messages. Unlike what is stated within the Office Action, it is not simply the authorization requirement which could be shared that is significantly different about what Bobo teaches. The significant difference is that using the system of Bobo, a user has to access their mailbox, then access a list of messages, and then can finally access the message. (Bobo, col. 8, lines 11-20) That is not *directly* accessing a file.

Bobo also does not teach that the independently accessible address is transmittable or capable of being transmitted or sent.

Within the Office Action, it is stated that the applicant is mixing the concepts of accessibility and security. The applicant respectfully disagrees. Within the specification of the present application, a clear distinction is made between a recording user and other users accessing a recorded audio file. For a recording user, it is taught within the specification that a user profile is setup. [Present Specification, page 14, lines 3-23] It is then taught that "[a]nyone accessing the internet and entering this address or selecting the appropriate hyperlink pointing to this address will then be provided the corresponding audio from the accessed recorded audio file." [Present Specification, page 17, lines 12-14, emphasis added] For an accessing user (not a recording user), all that is needed to access a recorded audio file is the address. Such a concept is not taught by Bobo. As discussed above, Bobo requires a user to login to their mailbox to access any messages.

Acharya teaches a computer implemented method and apparatus for enhancing access to a file. It is stated within the Office Action that Acharya teaches that each hyperlink points to an address unique to the recorded audio file. The applicant respectfully disagrees. Acharya does not teach or make obvious recording an audio file or associating hyperlinks with a recorded audio file. Acharya teaches that each traditional hyperlink is associated with a single URL. Acharya teaches a system for transmitting files over a communications network in which links, such as hyperlinks, to files comprise an indirect link. [Acharya, col. 2, lines 21-25] Acharya teaches that an indirect link is a logical link identifying a file to be retrieved, not by its electronic address or URL, but by a logical reference. [Acharya, col. 2, lines 25-28]

The combination of Bobo and Acharya is not proper. There is no hint, teaching or suggestion in either Bobo or Acharya to warrant their combination. As discussed above, Bobo teaches that the messages are collectively accessed through the anchor for the message list. Bobo does not teach that the messages are each stored and accessed at an independently accessible address. Acharya teaches using an indirect link which specifically does not refer to a file by its

address or URL. Accordingly, it would not have been obvious to one skilled in the art to use the teachings of Acharya with the system of Bobo. There is no motivation for one skilled in the art to combine these teachings of Acharya with Bobo.

This is a classic case of impermissibly using hindsight to make a rejection based on obviousness. The Court of Appeals for the Federal Circuit has stated that "it is impermissible to use the claimed invention as an instruction manual or 'template' to piece together the teachings of the prior art so that the claimed invention is rendered obvious." In Re Fritch, 972 F.2d, 1260, 1266, 23 USPQ2d 1780, 1784 (Fed. Cir. 1992). As discussed above, it would not have been obvious to use the teachings of Acharya with the message list of Bobo. To conclude that this is obvious based on the teachings of Bobo and Acharya, is to use hindsight based on the teachings of the present invention and to read much more into the teachings of these cited references than their actual teachings. Teachings of these references are being pieced together, despite the fact that there is no motivation to combine the references and they teach away from each other by providing incompatible solutions. This is simply not permissible based on the directive from the Court of Appeals for the Federal Circuit.

It is well settled that to establish a prima facie case of obviousness, three basic criteria must be met:

1) there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings;

2) there must be a reasonable expectation of success; and

3) the prior art reference, or references, must teach or suggest all the claim limitations. MPEP § 2143.

The burden of establishing a prima facie case of obviousness based on the teachings of Bobo and Acharya has not been met within the Office Action. There is no teaching or motivation in either Bobo or Acharya to warrant their combination. Bobo teaches that the messages are collectively accessed through the anchor for the message list. Bobo does not teach that the

messages are each stored and accessed at an independently accessible address. Acharya teaches using an indirect link which specifically does not identify a file by its electronic address or URL. It would not have been obvious to one skilled in the art to use the message list of Bobo with the indirect link of Acharya.

Even if considered proper, the combination of Bobo and Acharya does not teach all of the claimed limitations. Neither Bobo, Acharya nor their combination teach that a **recorded audio file** is directly accessible by anyone using an independently accessible address. Further, neither Bobo, Acharya nor their combination teach that a **recorded audio file** is separately and directly accessible by anyone using the independently accessible address. Further, neither Bobo, Acharya nor their combination teach that each **recorded audio file** is associated with and accessed by a unique, independently accessible address.

In contrast to the teachings of Bobo, Acharya and their combination, the present invention includes an apparatus and method for recording an audio file which allows a user to establish a telephone connection with a call processing and recording system to record an audio file. Once recorded, the user then has the ability to playback, edit and re-record the audio file until the user is satisfied with the audio file. Once the user is satisfied with the recorded audio file, a title or text description to be associated with the recorded audio file and the recorded audio file are stored at the call processing and recording system. When the quality and content of the recorded audio file is acceptable, then the recorded audio file with accompanying title and user information is transmitted from the call processing and recording system to an internet server. When the internet server receives the recorded audio file with accompanying user information and associated title or text description, this data is then stored in a recording database at the internet server. The recorded audio file of the present invention is also associated with a profile of the recording user which is accessible by the user over the internet. A notification is also preferably sent to the recording user notifying the recording user of the address at which the recorded audio file can be accessed. The address at which the recorded audio file can be accessed is preferably transmitted within this email. Preferably, this notification is by email.

The address at which the recorded audio file can be accessed is an independently accessible address on the internet. The address at which the recorded audio file can be accessed is unique to the recorded audio file. The recorded audio file can also be directly accessed by anyone using this address.

The recorded audio file of the present invention is separately accessible using the independently accessible address. As described above, the address is transmittable or capable of being sent. Since the audio file is accessed through the transmittable independently accessible address, anyone can access the recorded audio file on the internet server by entering the separately and directly accessible address or selecting a hyperlink pointing to this address. The recorded audio file can also be sent in a second file. Once any person accesses the recorded audio file, the audio data within the file is transmitted to the accessing computer system for playback at that accessing computer system. This allows many people to access the audio file.

As discussed above, neither Bobo, Acharya nor their combination teaches that the **recorded audio files** are each stored and accessed at an independently accessible address. In addition, neither Bobo, Acharya nor their combination teaches that the **recorded audio files** are separately and directly accessible using an independently accessible address. Further, neither Bobo, Acharya nor their combination teaches that each **recorded audio file** is associated with and accessed by a unique address. Still further, neither Bobo, Acharya nor their combination teaches that a **recorded audio file** is directly accessible by anyone using an independently accessible address. Neither Bobo, Acharya nor their combination teaches including the **recorded audio file** within a second file and sending the second audio file to the computer system for access by a user. Neither Bobo, Acharya nor their combination teaches that the independently accessible address is transmittable or capable of being transmitted or sent.

The independent Claim 1 is directed to a method of recording an audio file for playback over a computer system. The method of Claim 1 includes establishing a telephony connection between a telephony device and a call recording device, recording an audio communication transmitted over the telephony connection thereby establishing a recorded audio file and

associating an independently accessible address with the recorded audio file, such that when the address is accessed using the computer system, the recorded audio file is transmitted to the computer system for playback. The method of Claim 1 further includes the limitation that the recorded audio file is separately and directly accessible by anyone using the independently accessible address. The method of Claim 1 includes a further limitation specifying that the independently accessible address is unique to the recorded audio file. As discussed above, neither Bobo, Acharya nor their combination teach or make obvious that an independently accessible address is associated with the **recorded audio file**. In addition, neither Bobo, Acharya nor their combination teach or make obvious that the **recorded audio file** is separately and directly accessible by anyone using the independently accessible address. Further, neither Bobo, Acharya nor their combination teach or make obvious that the independently accessible address is unique to the **recorded audio file**. For at least these reasons, the independent Claim 1 is allowable over the teachings of Bobo, Acharya and their combination.

Claims 2-7, 9 and 13-16 are all dependent upon the independent Claim 1. As discussed above, the independent Claim 1 is allowable over the teachings of Bobo, Acharya and their combination. Accordingly, the Claims 2-7, 9 and 13-16 are all also allowable as being dependent upon an allowable base claim.

The independent Claim 17 is directed to a method of recording an audio file for playback over a computer system. The method of Claim 17 comprises establishing a telephony connection between a telephony device and a call recording device, recording an audio communication transmitted over the telephony connection thereby establishing a recorded audio file, including the recorded audio file within a second file, such that when then the second file is accessed using the computer system, the recorded audio file is available for playback at the computer system, wherein the recorded audio file is separately and directly accessible by anyone using an independently accessible address and further wherein the independently accessible address is unique to the recorded audio file and sending the second file to the computer system for access by a user. As discussed above, neither Bobo, Acharya nor their combination teach or make

obvious that an independently accessible address is associated with the **recorded audio file**. In addition, neither Bobo, Acharya nor their combination teach or make obvious that the **recorded audio file** is separately and directly accessible by anyone using the independently accessible address. Further, neither Bobo, Acharya nor their combination teach or make obvious that the independently accessible address is unique to the **recorded audio file**. For at least these reasons, the independent Claim 17 is allowable over the teachings of Bobo, Acharya and their combination.

Claims 18 and 19 are both dependent upon the independent Claim 17. As discussed above, the independent Claim 17 is allowable over the teachings of Bobo, Acharya and their combination. Accordingly, the Claims 18 and 19 are both also allowable as being dependent upon an allowable base claim.

The independent Claim 22 is directed to a record and playback system for recording an audio file for later playback. The record and playback system of Claim 22 includes a means for establishing a telephony connection with a telephony device, means for recording coupled to the means for establishing a telephony connection for recording an audio communication transmitted over the telephony connection thereby establishing a recorded audio file and means for storing coupled to the means for recording for storing the recorded audio file at an independently accessible address, such that when the address is accessed by a computer system, the recorded audio file is transmitted to the computer system for playback. The record and playback system of Claim 22 includes the further limitation that the recorded audio file is separately and directly accessible by anyone using the independently accessible address. The record and playback system of Claim 22 also includes the limitation specifying that the independently accessible address is unique to the recorded audio file. As discussed above, neither Bobo, Acharya nor their combination teach or make obvious that an independently accessible address is associated with the **recorded audio file**. In addition, neither, Bobo, Acharya nor their combination teach or make obvious that the **recorded audio file** is separately and directly accessible by anyone using the independently accessible address. Further, neither Bobo, Acharya nor their combination

teach or make obvious that the independently accessible address is unique to the **recorded audio file**. For at least these reasons, the independent Claim 22 is allowable over the teachings of Bobo, Acharya and their combination.

Claims 23-29 are all dependent upon the independent Claim 22. As discussed above, the independent Claim 22 is allowable over the teachings of Bobo, Acharya and their combination. Accordingly, the Claims 23-29 are all also allowable as being dependent upon an allowable base claim.

The independent Claim 30 is directed to a record and playback system for recording an audio file for later playback. The system of Claim 30 includes an interface circuit configured to establish a telephony connection with a telephony device, a call recording system coupled to the interface circuit to record an audio communication transmitted over the telephony connection thereby establishing a recorded audio file and a storage system coupled to the call recording system to store the recorded audio file at an independently accessible address within the storage system, such that when the address is accessed by a computer system, the recorded audio file is transmitted to the computer system for playback. The record and playback system of Claim 30 includes the further limitation that the recorded audio file is separately and directly accessible by anyone using the independently accessible address. The record and playback system of Claim 30 further includes the limitation specifying that the independently accessible address is unique to the recorded audio file. As discussed above, neither Bobo, Acharya nor their combination teach or make obvious that an independently accessible address is associated with the **recorded audio file**. In addition, neither Bobo, Acharya nor their combination teach or make obvious that the **recorded audio file** is separately and directly accessible by anyone using the independently accessible address. Further, neither Bobo, Acharya nor their combination teach or make obvious that the independently accessible address is unique to the **recorded audio file**. For at least these reasons, the independent Claim 30 is allowable over the teachings of Bobo, Acharya and their combination.

Claims 31-36 are all dependent upon the independent Claim 30. As discussed above, the independent Claim 30 is allowable over the teachings of Bobo, Acharya and their combination. Accordingly, the Claims 31-36 are all also allowable as being dependent upon an allowable base claim.

The independent Claim 37 is directed to a network of devices for recording and playback of an audio file. The network of Claim 37 includes a call processing and recording system coupled to a telephone network to establish a telephony connection with a telephony device and record an audio communication transmitted over the telephony connection thereby establishing a recorded audio file, a server coupled to the call processing and recording system to store the recorded audio file at an independently accessible address, wherein the recorded audio file is separately and directly accessible by anyone using the independently accessible address and further wherein the independently accessible address is unique to the recorded audio file and one or more computer systems coupled to the server such that when the address is accessed by one of the computer systems, the recorded audio file is transmitted to an accessing computer system for playback. As discussed above, neither Bobo, Acharya nor their combination teach or make obvious that a **recorded audio file** is stored at an independently accessible address. In addition, neither Bobo, Acharya nor their combination teach or make obvious that the **recorded audio file** is separately and directly accessible by anyone using the independently accessible address. Further, neither Bobo, Acharya nor their combination teach or make obvious that the independently accessible address is unique to the **recorded audio file**. For at least these reasons, the independent Claim 37 is allowable over the teachings of Bobo, Acharya and their combination.

Claims 38-43 are all dependent upon the independent Claim 37. As discussed above, the independent Claim 37 is allowable over the teachings of Bobo, Acharya and their combination. Accordingly, the Claims 38-43 are all also allowable as being dependent upon an allowable base claim.

The independent Claim 48 is directed to a method of recording an audio file for playback over a computer system. The method of Claim 48 comprises establishing a telephony connection between a telephony device and a call recording device, recording an audio communication transmitted by a recording user over the telephony connection thereby establishing a recorded audio file and associating an address with the recorded audio file, such that the recorded audio file is played back to each of one or more receiving users who access the address. The method of Claim 48 includes the further limitation specifying that the address allows the recorded audio file to be separately and directly accessed by anyone. The method of Claim 48 further includes a limitation specifying that the address is unique to the recorded audio file. As discussed above, neither Bobo, Acharya nor their combination teach or make obvious that the **recorded audio file** is separately and directly accessible by anyone using the independently accessible address. In addition, neither Bobo, Acharya nor their combination teach or make obvious that the independently accessible address is unique to the **recorded audio file**. For at least these reasons, the independent Claim 48 is allowable over the teachings of Bobo, Acharya and their combination.

The independent Claim 49 is directed to a method of recording an audio file for playback over a computer system. The method of Claim 49 comprises establishing a telephony connection between a telephony device and a call recording device, recording an audio communication transmitted over the telephony connection thereby establishing a recorded audio file, associating an unique and directly accessible address with the recorded audio file, and transmitting the recorded audio file to the computer system for playback, when the address is accessed using the computer system. As discussed above, neither Bobo, Acharya nor their combination teach or make obvious that the address is unique to the **recorded audio file**. For at least these reasons, the independent Claim 49 is allowable over the teachings of Bobo, Acharya and their combination.

Within the Office Action, Claims 1, 8, 17, 20, 22, 30, 37, 48 and 49 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,915,001 to Uppaluru

(hereinafter "Uppaluru") in view of Acharya. The applicant respectfully disagrees with this rejection. Uppaluru discloses a voice web system that is used to provide voice web services to a subscriber, whereby the voice web system is a service that provides on-line telephone based access to information. (Uppaluru, col. 9, lines 38-40). The information is presented to the user through the publication of voice web pages. (Uppaluru, col. 9, lines 41-49). Specifically, Uppaluru discloses that the system provides universally accessible caller-specific profiles that are accessed by one or more interactive voice response (IVR) systems. (Uppaluru, col. 2, lines 26-32). The system taught by Uppaluru includes voice web pages that are accessible to users via voice commands and touch-tone inputs. This collection of voice web pages is considered the "voice web" which contains a specially tagged set of key words and touch tone sequences that are associated with the embedded anchors and links used for navigation within the voice web. (Uppaluru, col. 2, lines 38-41). Thus, the system enables subscribers to access the voice web pages via their telephones, whereby the key words and touch tone sequences provided by the user are used to access links in the voice web pages and navigate through the voice web system. (Uppaluru, col. 5, lines 1-2).

Uppaluru teaches accessing information on a voice web system through a telephony connection. Uppaluru does not teach establishing a telephony connection and recording an audio communication transmitted over the telephony connection, thereby establishing a recorded audio file. Accordingly, Uppaluru does not disclose recording an audio communication transmitted over a telephony connection thereby establishing a recorded audio file for playback over a computer system nor associating an independently accessible address with the recorded audio file, wherein the recorded audio file is separately and directly accessible using the independently accessible address. Uppaluru also does not teach that the independently accessible address is unique to the recorded audio file. Uppaluru teaches an extension of HTML called HVML to create voice web pages. Although the voice web pages can still be accessed by a conventional web browser using HTTP protocols, there is no indication that an audio file is transmitted via the conventional web browser. The additional markup tags are interpreted by an HVML extended

web browser which then enables subscribers to access voice web pages over the phone or similar device. (Uppaluru, column 7, lines 17-25) That means a recorded audio file is not transmitted to the computer system for playback nor is the audio file directly accessible using the independently accessible address. Moreover, the address is not unique to the recorded audio file; rather the address accesses web pages which can then access voice data. Further, Uppaluru does not teach sending the second file to the computer system for access by a user.

Uppaluru also does not teach that the independently accessible address is transmittable or capable of being transmitted or sent.

Acharya teaches a computer implemented method and apparatus for enhancing access to a file. It is stated within the Office Action that Acharya teaches that each hyperlink points to an address unique to the recorded audio file. The applicant respectfully disagrees. Acharya does not teach or make obvious recording an audio file or associating hyperlinks with a recorded audio file. Acharya teaches that each traditional hyperlink is associated with a single URL. Acharya teaches a system for transmitting files over a communications network in which links, such as hyperlinks, to files comprise an indirect link. [Acharya, col. 2, lines 21-25] Acharya teaches that an indirect link is a logical link identifying a file to be retrieved, not by its electronic address or URL, but by a logical reference. [Acharya, col. 2, lines 25-28]

The combination of Uppaluru and Acharya is not proper. There is no hint, teaching or suggestion in either Uppaluru or Acharya to warrant their combination. As discussed above, Uppaluru teaches a voice web system that includes voice web pages that are accessible to users via voice command and touch-tone inputs. Uppaluru does not teach associating an independently accessible address with a recorded audio file, wherein the recorded audio file is separately and directly accessible using the independently accessible address. Acharya teaches using an indirect link which specifically does not refer to a file by its address or URL. Accordingly, it would not have been obvious to one skilled in the art to use the teachings of Acharya with the voice web system of Uppaluru. There is no motivation for one skilled in the art to combine these teachings of Acharya with Uppaluru.

This is a classic case of impermissibly using hindsight to make a rejection based on obviousness. The Court of Appeals for the Federal Circuit has stated that "it is impermissible to use the claimed invention as an instruction manual or 'template' to piece together the teachings of the prior art so that the claimed invention is rendered obvious." In Re Fritch, 972 F.2d, 1260, 1266, 23 USPQ2d 1780, 1784 (Fed. Cir. 1992). As discussed above, it would not have been obvious to use the teachings of Acharya with the voice web system of Uppaluru. To conclude that this is obvious based on the teachings of Uppaluru and Acharya, is to use hindsight based on the teachings of the present invention and to read much more into the teachings of these cited references than their actual teachings. Teachings of these references are being pieced together, despite the fact that there is no motivation to combine the references and they teach away from each other by providing incompatible solutions. This is simply not permissible based on the directive from the Court of Appeals for the Federal Circuit.

It is well settled that to establish a prima facie case of obviousness, three basic criteria must be met:

1) there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings;

2) there must be a reasonable expectation of success; and

3) the prior art reference, or references, must teach or suggest all the claim limitations. MPEP § 2143.

The burden of establishing a prima facie case of obviousness based on the teachings of Uppaluru and Acharya has not been met within the Office Action. There is no teaching or motivation in either Uppaluru or Acharya to warrant their combination. Uppaluru teaches a voice web system that includes voice web pages that are accessible to users via voice command and touch-tone inputs. Uppaluru does not teach associating an independently accessible address with a recorded audio file, wherein the recorded audio file is separately and directly accessible using the independently accessible address. Acharya teaches using an indirect link which

specifically does not identify a file by its electronic address or URL. It would not have been obvious to one skilled in the art to use the the indirect link of Acharya within the voice web pages of Uppaluru.

Based on the teachings of Uppaluru and Acharya there is no reasonable expectation of success to warrant their combination. As discussed above, Uppaluru teaches a voice web browser for accessing voice web pages over a telephony connection. Acharya teaches a system for transmitting files over a communications network in which links, such as hyperlinks, to files comprise an indirect link. Acharya does not provide any teaching, hint or suggestion of using their system with audio files or voice web pages.

Even if considered proper, the combination of Uppaluru and Acharya does not teach all of the claimed limitations. Neither Uppaluru, Acharya nor their combination teach that a recorded audio file is directly accessible using an independently accessible address. Further, neither Uppaluru, Acharya nor their combination teach that a recorded audio file is separately and directly accessible by anyone using the independently accessible address. Neither Uppaluru, Acharya nor their combination teach that each recorded audio file is associated with and accessed by a unique address.

As discussed above, Uppaluru does not teach that the independently accessible address is transmittable or capable of being transmitted or sent. As also discussed above, Acharya does not teach that the independently accessible address is transmittable or capable of being transmitted or sent. Accordingly, neither Uppaluru, Acharya nor their combination teach that the independently accessible address is transmittable or capable of being transmitted or sent.

The independent Claim 1 is directed to a method of recording an audio file for playback over a computer system. The method of Claim 1 includes establishing a telephony connection between a telephony device and a call recording device, recording an audio communication transmitted over the telephony connection thereby establishing a recorded audio file and associating an independently accessible address with the recorded audio file, such that when the

address is accessed using the computer system, the recorded audio file is transmitted to the computer system for playback. The method of Claim 1 further includes the limitation that the recorded audio file is separately and directly accessible by anyone using the independently accessible address. The method of Claim 1 includes the further limitation that the independently accessible address is unique to the recorded audio file. As discussed above, neither Uppaluru, Acharya nor their combination teach or make obvious that an audio communication is recorded over a telephony connection, thereby establishing a recorded audio file. Further, neither Uppaluru, Acharya nor their combination teach or make obvious that the recorded audio file is separately and directly accessible by anyone using an independently accessible address that is associated with the recorded audio file. As also discussed above, neither Uppaluru, Acharya nor their combination teach or make obvious that the independently accessible address is unique to the recorded audio file. As also discussed above, neither Uppaluru, Acharya nor their combination teach or make obvious that the independently accessible address is transmittable. For at least these reasons, the independent Claim 1 is allowable over the teachings of Uppaluru, Acharya and their combination.

Claim 8 is dependent upon the independent Claim 1. As discussed above, the independent Claim 1 is allowable over the teachings of Uppaluru, Acharya and their combination. Accordingly, the Claim 8 is also allowable as being dependent upon an allowable base claim.

The independent Claim 17 is directed to a method of recording an audio file for playback over a computer system. The method of Claim 17 comprises establishing a telephony connection between a telephony device and a call recording device, recording an audio communication transmitted over the telephony connection thereby establishing a recorded audio file, including the recorded audio file within a second file, such that when the second file is accessed using the computer system, the recorded audio file is available for playback at the computer system, wherein the recorded audio file is separately and directly accessible by anyone using an independently accessible address and further wherein the independently accessible address is

unique to the recorded audio file and sending the second file to the computer system for access by a user. As discussed above, neither Uppaluru, Acharya nor their combination teach or make obvious that an audio communication is recorded over a telephony connection, thereby establishing a recorded audio file. Further, neither Uppaluru, Acharya nor their combination teach or make obvious that the recorded audio file is separately and directly accessible by anyone using an independently accessible address that is associated with the recorded audio file. As also discussed above, neither Uppaluru, Acharya nor their combination teach or make obvious that the independently accessible address is unique to the recorded audio file. For at least these reasons, the independent Claim 17 is allowable over the teachings of Uppaluru, Acharya and their combination.

Claim 20 is dependent upon the independent Claim 17. As discussed above, the independent Claim 17 is allowable over the teachings of Uppaluru, Acharya and their combination. Accordingly, the Claim 20 is also allowable as being dependent upon an allowable base claim.

The independent Claim 22 is directed to a record and playback system for recording an audio file for later playback. The record and playback system of Claim 22 includes a means for establishing a telephony connection with a telephony device, means for recording coupled to the means for establishing a telephony connection for recording an audio communication transmitted over the telephony connection thereby establishing a recorded audio file and means for storing coupled to the means for recording for storing the recorded audio file at an independently accessible address, such that when the address is accessed by a computer system, the recorded audio file is transmitted to the computer system for playback. The record and playback system of Claim 22 includes the further limitation that the recorded audio file is separately and directly accessible by anyone using the independently accessible address. The record and playback system of Claim 22 further includes the limitation specifying that the independently accessible address is unique to the recorded audio file. As discussed above, neither Uppaluru, Acharya nor their combination teach or make obvious that an audio communication is recorded over the

telephony connection, thereby establishing a recorded audio file. Further, neither Uppaluru, Acharya nor their combination teach or make obvious that the recorded audio file is separately and directly accessible by anyone using an independently accessible address that is associated with the recorded audio file. As also discussed above, neither Uppaluru, Acharya nor their combination teach or make obvious that the independently accessible address is unique to the recorded audio file. As also discussed above, neither Uppaluru, Acharya nor their combination teach or make obvious that the independently accessible address is transmittable. For at least these reasons, the independent Claim 22 is allowable over the teachings of Uppaluru, Acharya and their combination.

The independent Claim 30 is directed to a record and playback system for recording an audio file for later playback. The system of Claim 30 includes an interface circuit configured to establish a telephony connection with a telephony device, a call recording system coupled to the interface circuit to record an audio communication transmitted over the telephony connection thereby establishing a recorded audio file and a storage system coupled to the call recording system to store the recorded audio file at an independently accessible address within the storage system, such that when the address is accessed by a computer system, the recorded audio file is transmitted to the computer system for playback. The record and playback system of Claim 30 includes the further limitation that the recorded audio file is separately and directly accessible by anyone using the independently accessible address. The record and playback system of Claim 30 further includes the limitation specifying that the independently accessible address is unique to the recorded audio file. As discussed above, neither Uppaluru, Acharya nor their combination teach or make obvious that an audio communication is recorded over a telephony connection, thereby establishing a recorded audio file. Further, neither Uppaluru, Acharya nor their combination teach or make obvious that the recorded audio file is separately and directly accessible by anyone using an independently accessible address that is associated with the recorded audio file. Neither Uppaluru, Acharya nor their combination teach or make obvious that the independently accessible address is unique to the recorded audio file. As also discussed

above, neither Uppaluru, Acharya nor their combination teach or make obvious that the independently accessible address is transmittable. For at least these reasons, the independent Claim 30 is allowable over the teachings of Uppaluru, Acharya and their combination.

The independent Claim 37 is directed to a network of devices for recording and playback of an audio file. The network of Claim 37 includes a call processing and recording system coupled to a telephone network to establish a telephony connection with a telephony device and record an audio communication transmitted over the telephony connection thereby establishing a recorded audio file, a server coupled to the call processing and recording system to store the recorded audio file at an independently accessible address, wherein the recorded audio file is separately and directly accessible by anyone using the independently accessible address and further wherein the independently accessible address is unique to the recorded audio file and one or more computer systems coupled to the server such that when the address is accessed by one of the computer systems, the recorded audio file is transmitted to an accessing computer system for playback. As discussed above, neither Uppaluru, Acharya nor their combination teach or make obvious that an audio communication is recorded over a telephone connection, thereby establishing a recorded audio file. Further, neither Uppaluru, Acharya nor their combination teach or make obvious that the recorded audio file is separately and directly accessible by anyone using an independently accessible address that is associated with the recorded audio file. Also, neither Uppaluru, Acharya nor their combination teach or make obvious that the independently accessible address is unique to the recorded audio file. As also discussed above, neither Uppaluru, Acharya nor their combination teach or make obvious that the independently accessible address is transmittable. For at least these reasons, the independent Claim 37 is allowable over the teachings of Uppaluru, Acharya and their combination.

The independent Claim 48 is directed to a method of recording an audio file for playback over a computer system. The method of Claim 48 comprises establishing a telephony connection between a telephony device and a call recording device, recording an audio communication transmitted by a recording user over the telephony connection thereby establishing a recorded

audio file and associating an address with the recorded audio file, such that the recorded audio file is played back to each of one or more receiving users who access the address. The method of Claim 48 includes the further limitation specifying that the address allows the recorded audio file to be separately and directly accessed by anyone. The method of Claim 48 further includes a limitation specifying that the address is unique to the recorded audio file. As discussed above, neither Uppaluru, Acharya nor their combination teach or make obvious that an audio communication is recorded over a telephony connection, thereby establishing a recorded audio file. Further, neither Uppaluru, Acharya nor their combination teach or make obvious that the recorded audio file is separately and directly accessed by anyone using an independently accessible address. Also, neither Uppaluru, Acharya nor their combination teach or make obvious that the independently accessible address is unique to the recorded audio file. As also discussed above, neither Uppaluru, Acharya nor their combination teach or make obvious that the independently accessible address is transmittable. For at least these reasons, the independent Claim 48 is allowable over the teachings of Uppaluru, Acharya and their combination.

The independent Claim 49 is directed to a method of recording an audio file for playback over a computer system. The method of Claim 49 comprises establishing a telephony connection between a telephony device and a call recording device, recording an audio communication transmitted over the telephony connection thereby establishing a recorded audio file, associating an unique and directly accessible address with the recorded audio file, and transmitting the recorded audio file to the computer system for playback, when the address is accessed using the computer system. As discussed above, neither Uppaluru, Acharya nor their combination teach or make obvious that the address is unique to the **recorded audio file**. For at least these reasons, the independent Claim 49 is allowable over the teachings of Uppaluru, Acharya and their combination.

For these reasons, Applicant respectfully submits that all of the claims are now in a condition for allowance, and allowance at an early date would be appreciated. Should the Examiner have any questions or comments, they are encouraged to call the undersigned at (408) 530-9700 to discuss the same so that any outstanding issues can be expeditiously resolved.

Respectfully submitted,

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